

**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. ER98-51-000]

**MIECO Inc.; Notice of Issuance of Order**

December 12, 1997.

MIECO Inc. (MIECO) submitted for filing a rate schedule under which MIECO will engage in wholesale electric power and energy transactions as a marketer. MIECO also requested waiver of various Commission regulations. In particular, MIECO requested that the Commission grant blanket approval under 18 CFR Part 34 of all future issuances of securities and assumptions of liability by MIECO.

On November 17, 1997, pursuant to delegated authority, the Director, Division of Rate Applications, Office of Electric Power Regulation, granted requests for blanket approval under Part 34, subject to the following:

Within thirty days of the date of the order, any person desiring to be heard or to protest the blanket approval of issuances of securities or assumptions of liability by MIECO should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.W., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214).

Absent a request for hearing within this period, MIECO is authorized to issue securities and assume obligations or liabilities as a guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of the applicant, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approval of MIECO's issuances of securities or assumptions of liability.

Notice is hereby given that the deadline for filing motions to intervene or protests, as set forth above, is January 12, 1998. Copies of the full text of the order are available from the Commission's Public Reference Branch, 888 First Street, N.E., Washington, D.C. 20426.

**Linwood A. Watson, Jr.,***Acting Secretary.*

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**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. OR98-3-000]

**OXY USA, Inc. v. Amerada Hess Pipeline Corporation, ARCO Transportation Alaska, Inc., BP Pipelines (Alaska) Inc., Exxon Pipeline Company, Mobil Alaska Pipeline Company, Phillips Alaska Pipeline Corporation and Unocal Pipeline Company; Notice of Complaint**

December 12, 1997.

Take notice that on December 9, 1997, pursuant to the provisions of the Interstate Commerce Act (ICA), 49 U.S.C. App. §§ 2, 3(1), 6(7), 8, 9, 13(1) and 15(1) and the Rules and Regulations of the Federal Energy Regulatory Commission, 18 CFR 343.2(c)(3), 385.206(a) and 385.207(a), OXY USA, Inc. (OXY) filed a complaint and petition for declaratory relief against Amerada Hess Pipeline Corporation, ARCO Transportation Alaska, Inc., BP Pipelines (Alaska) Inc., Exxon Pipeline Company, Mobil Alaska Pipeline Company, Phillips Alaska Pipeline Corporation, and Unocal Pipeline Company (collectively the TAPS Carriers).

OXY states that the TAPS Carriers have entered into two private agreements with the State of Alaska, a payor of TAPS transportation rates, under which the TAPS Carriers have agreed to pay rate rebates totaling \$26,500,000.00 to the State and to no other shipper. The settlements concern resolution of the electrical, as built and management remediation case and resolution of the costs related to certain public communications and government relations activities. Also pursuant to the said agreements, the TAPS Carriers have the option of making future payments directly to the State in order to rebate to the State certain costs included in rates charged to all shippers.

OXY contends that the two settlements are in violation of Sections 2, 3(1), and 6(7) of the ICA, 49 U.S.C. App. §§ 2, 3(1), 6(7), and demands that it be awarded \$923,186 as an equivalent pro rata rebate comparable to Alaska's, in reparation for the period commencing two years preceding the filing of this action, adjusted for costs through the entry of a final order in this case, plus costs of this action and reasonable attorneys fees, pursuant to Sections 8, 9 and 13(1) of the ICA, 49 U.S.C. App. §§ 8, 9 and 13(1). OXY also requests that the Commission, under Sections 13(1) and 15(1) of the ICA, 49 U.S.C. App. §§ 13(1) and 15(1), investigate these

settlements and the practices of the TAPS Carriers pursuant thereto and that the Commission declare unlawful those provisions of the agreements that allow the TAPS Carriers in the future to make preferential and discriminatory rate rebates to the State of Alaska. Further, should the Commission determine that illegal rebates have been paid but that reparations should not be made to OXY, OXY requests that the Commission order a general refund of all such illegal rebates pursuant to Section 15(7) of the ICA, 49 U.S.C. App. § 15(7).

OXY states that copies of the complaint were served on each person the service list attached to the filing.

Any person desiring to be heard or to protest said complaint should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426, in accordance with Sections 385.214 and 385.211 of the Commission's Rules of Practice and procedure. All such motions or protests should be filed on or before January 8, 1998. Protest will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. Answers to this complaint shall be due on or before January 8, 1998.

**Linwood A. Watson, Jr.,***Acting Secretary.*

[FR Doc. 97-32976 Filed 12-17-97; 8:45 am]

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**DEPARTMENT OF ENERGY****Federal Energy Regulatory Commission**

[Docket No. RP97-179-006]

**Ozark Gas Transmission System; Notice of Tariff Filing**

December 12, 1997.

Take notice that on September 30, 1997, Ozark Gas Transmission System (Ozark) tendered for filing as part of its FERC Gas Tariff, First Revised Volume No. 1, Second Revised Sheet No. 43, with an effective date of November 1, 1997.

Ozark states that in compliance with Order No. 587-C, which approved GISB Standard 4.3.6, and the Commission's May 30, 1997 Order granting Ozark an extension of the time to comply with Order No. 587-C, this tariff sheet has been revised to include a reference to Ozark's web site. Ozark states that it has